

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROSE MARIE M. TESTA,

Plaintiff,

v.

**BROOMALL OPERATING COMPANY,
L.P., et al.**

Defendants.

CIVIL ACTION

NO. 21-5148-KSM

ORDER

AND NOW, this 25th day of January, 2022, following a telephonic status conference with the parties on January 21, 2022, it is **ORDERED** as follows:

1. Defendant SavaSeniorCare, LLC's Motion to Dismiss Plaintiff's Complaint (Doc. No. 10), Defendant Terpax, Inc.'s Motion to Dismiss Plaintiff's Complaint (Doc. No. 11), Defendants Broomall Operating Company LP and Broomall Operating GP LLC's Motion to Dismiss (Doc. No. 12), Broomall Operating Company LP's and Broomall Operating GP LLC's Motion to Dismiss Plaintiff's Amended Complaint (Doc. No. 15), Defendant SavaSeniorCare, LLC's Motion to Dismiss Plaintiff's Amended Complaint (Doc. No. 16), and Defendant Terpax, Inc.'s Motion to Dismiss Plaintiff's Amended Complaint (Doc. No. 17) are **DENIED AS MOOT and without prejudice** to Defendants' right to refile if appropriate following the Court's ruling on Defendants Broomall Operating Company LP and Broomall Operating GP LLC's Motion to Strike (Doc. No. 14) and Plaintiff's Motion to Remand (Doc. No. 23).

2. The case is **STAYED** pending the Court's ruling on Defendants Broomall Operating Company LP and Broomall Operating GP LLC's Motion to Strike (Doc. No. 14) and Plaintiff's Motion to Remand (Doc. No. 23).¹

IT IS SO ORDERED.

/s/ Karen Spencer Marston

KAREN SPENCER MARSTON, J.

¹ If appropriate following the Court's ruling on Defendants Broomall Operating Company LP and Broomall Operating GP LLC's Motion to Strike (Doc. No. 14) and Plaintiff's Motion to Remand (Doc. No. 23), the Court will issue a scheduling order setting dates for Defendants to respond to Plaintiffs' complaint. Also, as the Court discussed during the status conference, this stay applies to the two individual defendants who have not yet responded to the Amended Complaint.